

THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

TERRA PARTNERS; TERRA XXI, LTD.;
ROBERT WAYNE VEIGEL;
ELLA MARIE WILLIAMS VEIGEL;
VEIGEL FARMS, INC.; VEIGEL CATTLE
COMPANY; and VEIGEL FARM PARTNERS,

Plaintiffs,

v.

No. 2:15-cv-236-J

AG ACCEPTANCE CORPORATION,

Defendant.

MOTION TO WITHDRAW AS COUNSEL

Keleher & McLeod, P.A. (Jeffrey Dahl and Justin Breen) and the Law Offices Of Philip Roland Russ¹ (Philip Russ) (collectively "Movant") hereby request the Court's leave to withdraw as counsel for Terra Partners, Terra XXI, Ltd., Robert Wayne Veigel, Ella Marie Williams Veigel, Veigel Farms, Inc., Veigel Cattle Company, and Veigel Farm Partners ("Plaintiffs"), and in support thereof state:

1. Rule U.S.D.C.N.D TX LR 83.12 governs the withdrawal of counsel. The rule requires a motion. The motion must: 1) specify the reasons requiring withdrawal; 2) provide the name and address of the succeeding attorney; or 3) if the succeeding attorney is not known, the motion must set forth the name, address, and telephone number of the client.

2. As a basis for the request for withdraw, Movants state:

a. that the Movants and Plaintiffs have irreconcilable differences as to how the course of this litigation should proceed; and

¹ Mr. Russ is local counsel.

b. as a result of those irreconcilable differences, the attorney client relationship has deteriorated substantially between the Movants and Plaintiffs to the point that Movant's representation of Plaintiffs cannot continue.

3. The contact information for the Plaintiffs is:

c/o Steve Veigel
105 Quince Street
Hereford, Texas 79045
Telephone: (806) 231-1009
E-Mail: SVeig@aol.com

4. This motion is opposed by Plaintiffs. To the best of Movant's knowledge, the Plaintiffs have not obtained replacement counsel.

5. The undersigned sought the concurrence of counsel for Defendant but had not received it as of the time of filing.

WHEREFORE, Movant respectfully requests that the Court permit it to withdraw as counsel for Plaintiffs.

Respectfully submitted,

KELEHER & MCLEOD, P.A.

By: /s/ Justin B. Breen

Filed Electronically on February 5, 2016

Jeffrey A. Dahl – NM SBN 0622

Justin B. Breen – NM SBN 28108

Post Office Box AA

Albuquerque, New Mexico 87103

Telephone: (505) 346-4646

Facsimile: (505) 346-1370

E-Mail: jad@keleher-law.com

E-Mail: jb@keleher-law.com

CERTIFICATE OF CONFERENCE

I certify that on the 2nd day of February 2016, Jeffrey Dahl, contacted by email Barbara Whiten Balliette at the law office of Reid Collins & Tsai LLP, counsel for Defendant Ag Acceptance Corporation, regarding the relief requested in this Motion. Ms. Balliette has not provided her concurrence to this Motion.

/s/ Justin B. Breen

Justin B. Breen

CERTIFICATE OF SERVICE

THIS HEREBY CERTIFIES that on February 5, 2016, I electronically filed the foregoing document with the Clerk of the Court for the Northern District Of Texas by using the CM/ECF system, which will send a notice of electronic filing to the following CM/ECF participants:

Plaintiffs:

Steve Veigel
105 Quince Street
Hereford, Texas 79045
Telephone: (806) 231-1009
E-Mail: SVeig@aol.com

Local Counsel for Plaintiffs:

Philip Roland Russ
Law Offices of Philip R. Russ
2700 S. Western St., Suite 1200
Amarillo, Texas 79109
Telephone: (806) 358-9293
Facsimile: (806) 358-9296
E-Mail: PhilipRRuss@RussLawFirm.com

Lead Counsel for Ag Acceptance Corporation:

Barbara Whiten Balliette
Reid Collins & Tsai LLP
1301 S. Capital of Texas Hwy., C-300
Austin, Texas 78746
Telephone: (512) 647-6100
Facsimile: (512) 647-6129
E-Mail: BBalliette@RCTLegal.com

Local Counsel for Ag Acceptance Corporation:

Thomas C. Riney
Riney & Mayfield LLP
320 South Polk Street, Suite 600
Maxor Building
Amarillo, Texas 79101
Telephone: (806) 468-3200
Facsimile: (806) 376-4509
E-Mail: TRiney@RineyMayfield.com

Lead Counsel for Ag Acceptance Corporation [District of New Mexico]:

Richard F. Rowley II
Rowley Law Firm, L.L.C.
P.O. Box 790
Clovis, New Mexico 88102-0790
Telephone: (575) 763-4457
Facsimile: (575) 763-4450
E-Mail: R2@RowleyLawFirm.com

/s/ Justin B. Breen

Justin B. Breen

4824-1873-8477, v. 1